

City Council
Atlanta, Georgia

AN ORDINANCE

Z-03-05/Z-98-40

BY: ZONING COMMITTEE

03- 0 -0422

AN ORDINANCE TO AMEND ORDINANCE
Z-98-40, ADOPTED BY CITY COUNCIL
NOVEMBER 2, 1998 AND APPROVED BY
OPERATION OF LAW NOVEMBER 10, 1998,
AND SUBSEQUENTLY CORRECTED BY AN
ORDINANCE ADOPTED JANUARY 4, 1999
AND APPROVED BY OPERATION OF LAW
JANUARY 12, 1999, REZONING FROM THE
R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT
TO THE RG-3-C (RESIDENTIAL GENERAL-
SECTOR 3-CONDITIONAL) DISTRICT, PROPERTY
LOCATED AT **3525-3529-3533 ROXBORO ROAD,
N.E.**, FOR THE PURPOSE OF APPROVING A
CHANGE OF CONDITIONS.

OWNER: GARY BROCK

APPLICANT: HARRISON DESIGN ASSOCIATES

BY: KATIE ANDERSON

NPU-B

COUNCIL DISTRICT 7

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That Ordinance Z-98-40, adopted by City Council November 2, 1998 and approved by Operation of Law November 10, 1998 and subsequently corrected by an Ordinance adopted January 4, 1999 and approved by Operation of Law January 12, 1999, rezoning from the R-3 (Single-Family Residential) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at **3525-3529-3533 Roxboro Road, N.E.** is hereby amended by deleting condition number 9 which reads: "There shall be no gates at any entrance points" and approving the site plan entitled "Kingsboro Park" prepared by Precision Planning, Inc., dated May 20, 1999, last revised April 17, 2000 and marked received by the Bureau of Planning February 11, 2003, for the purpose of approving the fencing and gates shown thereon.

SECTION 2. That all other previously approved conditions governing the development of this property shall remain in full force and effect.

SECTION 3. That approval of this amended site plan does not authorize the violation of any zoning district regulations. District regulation variances may be approved only by the Board of Zoning Adjustment in response to the application of a petitioner.

SECTION 4. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Municipal Clerk
Atlanta, Georgia

98-0-1339

Z-98-40

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE PROPERTY FROM THE R-3
(SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-4-C
(RESIDENTIAL GENERAL-SECTOR 4-CONDITIONAL) DISTRICT,
PROPERTY LOCATED AT 3529, 3583 & LOT 8A ON ROXBORO
ROAD, N.E., AND FOR OTHER PURPOSES.

APPLICANT: ELIZABETH FAULKNER-MOODY
OWNER: ELIZABETH FAULKNER-MOODY
NPU-B

COUNCIL DISTRICT 7

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY
ORDAINS:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and
the maps established in connection therewith be changed so that the following property
located at 3529, 3583 & Lot 8A on Roxboro Road, N.E. be changed from the R-3
(Single-Family Residential) District to the RG-4 (Residential General-Sector 4) District,
to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 9 of the 17th
District, Fulton County, Georgia, being more particularly shown on the attached map.

SECTION 2. That this amendment is approved under the provisions of Section
16-02.003 of the Zoning Ordinance of the City of Atlanta entitled, "Conditional
Development", as identified by the use of the suffix "C: after the district designation in
Section 1 above, the Director of the Bureau of Buildings shall issue a building permit for
the development of the above-described property only in compliance with the following
conditions:

1. The site plan titled, "Roxboro Road & Kingsboro Road Townhouses", by Harrison
Design Associates, dated 9/24/98 and stamped received by the Bureau of Planning on
9/25/98
2. Density shall be limited to 8 units.
3. There shall be a 100-foot landscaped buffer along the rear property line for a distance
of 100 feet.
4. There shall be no light spillage on adjacent residential properties and the lighting on
the subject property shall be directed away from single-family detached residential
areas.

Z-03-05/Z-98-40

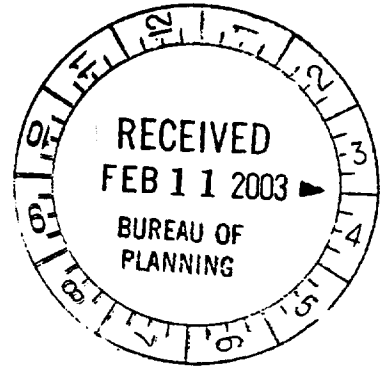
5. The Ridgedale Park Neighborhood Association shall be informed at least one week in advance of any administrative changes to the site plan sought by the Applicant.
6. The exterior of the columns, walls and fences around the project shall be landscaped so as to soften these exteriors.
7. No solid walls shall be placed along Kingsboro and Roxboro Roads, nor shall they exceed 5 feet in height.
8. There shall be no construction traffic on Kingsboro Road at any time during construction of the proposed development.
9. There shall be no gates at any entrance points.

The conditions hereby approved (including the conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of Municipal Clerk, be changed to conform to the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

OMC - Amendment Incorporated by TCP 11/12/98

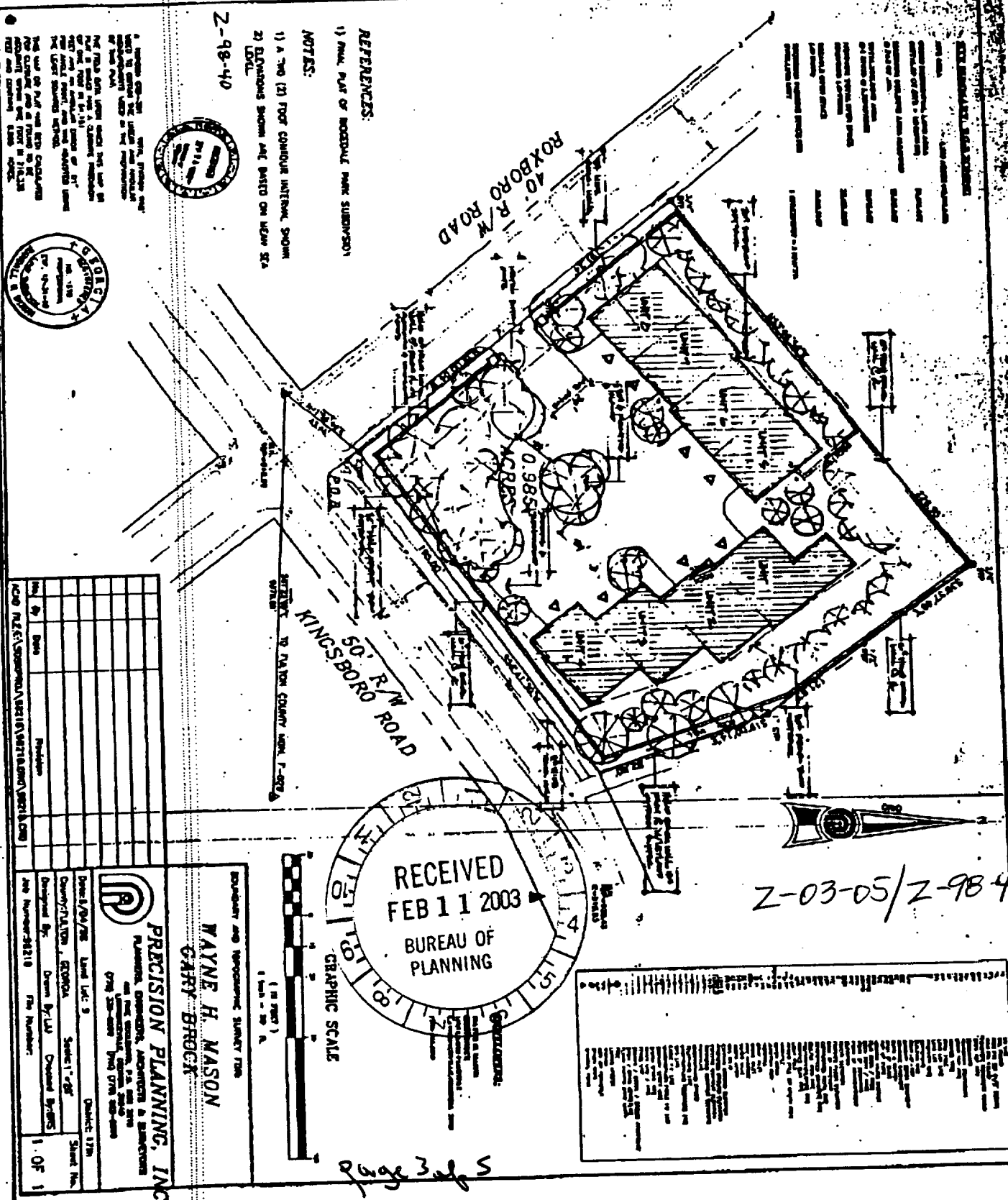


A true copy.

Ronda Dauphin Johnson
Municipal Clerk, UMC

ADOPTED as amended by Council November 02, 1998
RETURNED WITHOUT SIGNATURE BY THE MAYOR
APPROVED as per Section 2-403 of the 1996 Charter

2-03-05/2-98-4



Z-98-40

REFERENCES:

1) FINAL PLAN OF ROXBORO PARK SUBDIVISION

NOTES:

- 1) A TWO (2) FOOT CONTIGUOUS INTERIOR SHOWN
- 2) ELEVATIONS SHOWN ARE BASED ON MEAN SEA LEVEL



1. The plan is submitted for review and approval by the Bureau of Planning, City of Atlanta, Georgia. The plan is subject to the provisions of the Comprehensive Zoning Ordinance, City of Atlanta, Georgia, and the rules and regulations of the Bureau of Planning, City of Atlanta, Georgia. The plan is not to be construed as a guarantee of any kind, and the Bureau of Planning, City of Atlanta, Georgia, is not responsible for any errors or omissions in the plan.

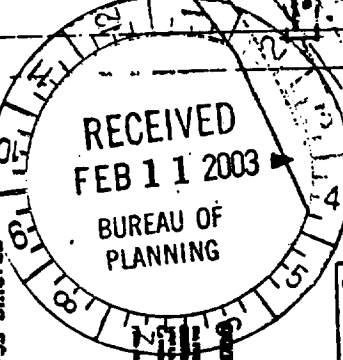


NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

DATE: 1/24/03	LAND LOTS: 3	PROJECT: 1778
DRAWN BY: J. L. DUNN	SCALE: 1" = 20'	SHEET NO. 1
DESIGNED BY: J. L. DUNN	CHECKED BY: J. L. DUNN	
FILE NUMBER: 28210	FILE NUMBER:	

WAYNE H. NASON
CARY BROCK

PRECISION PLANNING, INC.



Z-03-05/Z-98-40



Municipal Clerk
Atlanta, Georgia

98-C-2299

Z-98-40

A CORRECTING ORDINANCE
BY: LEE MORRIS

AN ORDINANCE TO REZONE PROPERTY FROM THE R-3
(SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-3-C
(RESIDENTIAL GENERAL-SECTOR 3-CONDITIONAL) DISTRICT,
PROPERTY LOCATED AT 3529, 3583 & LOT 8A ON ROXBORO
ROAD, N.E., AND FOR OTHER PURPOSES.

APPLICANT: ELIZABETH FAULKNER-MOODY
OWNER: ELIZABETH FAULKNER-MOODY
NPU-B

COUNCIL DISTRICT 7

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY
ORDAINS:

WHEREAS, on the 2nd day of November, 1998, the City Council rezoned the
aforementioned property from the R-3 (Single-Family Residential) District to
the RG-4-C (Residential General-Sector 4-Conditional) District; and

WHEREAS, in addition to rezoning said property, there were nine (9) conditions
attached to and made a part of said rezoning; and

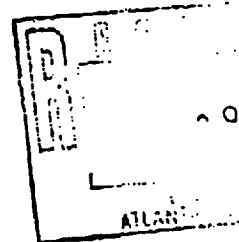
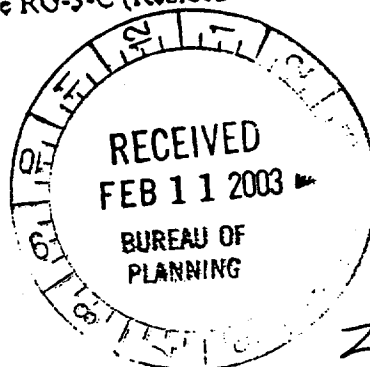
WHEREAS, the same was not vetoed by the Mayor, however, certain conditions
were incorrect in accordance with the recommendation from staff and the Zoning
Committee; and

WHEREAS, the property should not have been rezoned to the RG-4-C
(Residential General-Sector 4-Conditional) District, but should have been rezoned
to the RG-3-C (Residential General-Sector 3-Conditional).

NOW, THEREFORE, for and in consideration of the aforementioned, the City
Council of the City of Atlanta, Georgia, hereby ordains:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and
maps established in connection therewith be changed so that the following property
located at 3529, 3583 & Lot 8A on Roxboro Road, N.E. be changed from the R-3
(Single-Family Residential) District to the RG-3-C (Residential General-Sector 3-
Conditional) District, to wit:

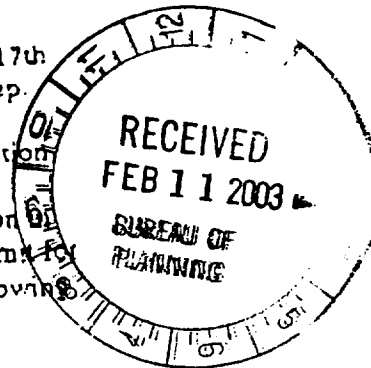
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Z-03-05/Z-98-40

ALL THAT TRACT or parcel of land lying and being in Land Lot 9 or the 17th District, Fulton County, Georgia, being more particularly shown on the attached map.

SECTION 2. That this amendment is approved under the provisions of Section 16-02 003 of the Zoning Ordinance of the City of Atlanta entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation. Section 1 above, the Director of the Bureau of Buildings shall issue a building permit for the development of the above-described property only in compliance with the following conditions:



1. The site plan titled, "Roxboro Road & Kingsboro Road Townhouses," by Harrison Design Architects, dated 9/24/98 and stamped received by the Bureau of Planning on 9/25/98.
2. Density shall be limited to 8 units.
3. There shall be an 8-foot landscaped buffer along the rear property line for a distance of 100 feet.
4. There shall be no light spillage on adjacent residential properties and the lighting on the subject property shall be directed away from single-family detached residential areas.
5. The Ridgedale Park Neighborhood Association shall be informed at least one week in advance of any administrative changes to the site plan sought by the Applicant.
6. The exterior of the columns, walls and fences around the project shall be landscaped so as to soften these exteriors.
7. No solid walls shall be placed along Kingsboro and Roxboro Road, nor shall they exceed 5 feet in height.
8. There shall be no construction traffic on Kingsboro Road at any time during construction of the proposed development.
9. There shall be no gates at any entrance points.

The conditions hereby approved (including the conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of Municipal Clerk, be changed to conform to the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

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A true copy,

Randa Daughlin Johnson
Municipal Clerk, CMO

ADOPTED by the Council January 04, 1999
RETURNED WITHOUT SIGNATURE BY THE MAYOR
APPROVED as per Section 2-403 of the 1996 Charter

2-03-05/2-98-4